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1-28-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Deiter Wenninger, et. al.  
Serial No. : 09/750,984  
Filed : December 28, 2000  
For : ADHESIVE TAPE FOR DETECTING UNAUTHORIZED  
BROACHING OF A PACKAGE  
Art Unit : 1771  
Examiner : Daniel R. Zirker

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November 26, 2002

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT UNDER 37 C.F.R. 1.111

Sir:

In response to the Office Action dated June 27, 2002, the Examiner is respectfully requested to enter the following amendments and consider the following remarks:

IN THE SPECIFICATION

Page 1, after the first paragraph of text and before the second paragraph of text,  
please insert:

✓--Background of the invention--.

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NAME: Examiner Terrel Morris (for Examiner Zirker)

REFERENCE: Serial No. 09/750,984

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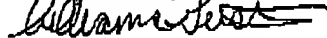
TRANSMITTED FROM: **William C. Gerstenzang**

Telefax No.: (212) 808-0844

Telephone: (212) 808-0700

**COMMENTS:** Mr. Morris: Examiner Zirker called to let me know that he has not received our response to the most recent office action. Enclosed for him is a copy of the response that we faxed on November 26, 2002, together with copies of the PTO's own fax acknowledgment and our own fax confirmation. The response also bears a fax certification. **Mr. Zirker is holding the file in his office.** Please let me know if anything else is required.

Respectfully,



William C. Gerstenzang

Reg 27,552

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Date: November 24, 2002  
To: Examiner Daniel Zilber  
US Patent and Trademark Office  
Fax: 703-872-9310  
Subject: USPN 09/750,994  
Our Ref.: vss AG 687-WCG  
From: William C. Gastermann  
Comments: Attached is an Amendment under 37 CFR Rule 1.111 (10 pgs.); Petition For  
Extension of Time (2 pgs.)

If you have any questions or need further information, please contact us.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

PAT. & TM. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte FRANCOISE M. WINNIK, BARKEV KEOSHKERIAN,  
RAYMOND W. WONG, STEPHAN DRAPPEL, MELVIN D. CROUCHER,  
JAMES D. MAYO and PETER G. HOFSTRA

Appeal No. 1997-4347  
Application No. 08/296,765

ORDER REMANDING TO EXAMINER

Appellants filed an Appeal Brief on December 11, 1996 (Paper No. 11). An Examiner's Answer was entered on March 13, 1997 (Paper No. 13). On page 3 of the Answer, the examiner states in section (8) that "[t]he copy of the appealed claims contained in the Appendix to the brief is correct." However, an examination of the Appendix of claims to the Appeal Brief reveals that claim 22 contains substantial errors as follows:

Claim 22, lines 8-10: After "agent," delete "said ink having a viscosity" and replace with "--wherein the resulting ink has a viscosity.--"

Appeal No. 1997-4347  
Application No. 08/296,765

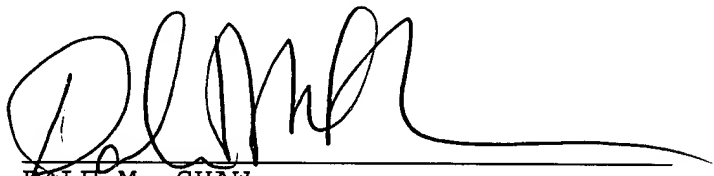
Accordingly, it is

ORDERED that this application is remanded to the examiner to notify appellants in writing to submit a corrected copy of the claims on appeal, or for the examiner to submit a corrected copy of the claims on appeal, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', written over a horizontal line.

DALE M. SHAW

Program and Resource Administrator  
(703) 308-9797

DMS:clm